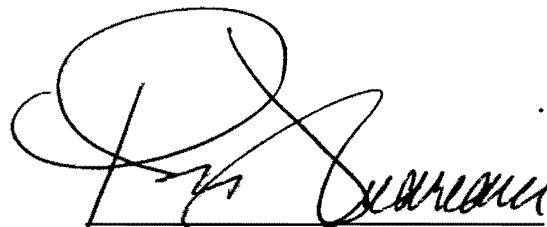


Heyen, Shirley Helbing, and James P. Minella.

2. The motion is **GRANTED** as to Count III (42 U.S.C. § 1983) of Plaintiff's Amended Complaint and judgment is entered **IN FAVOR OF** Defendants, Borough of Old Forge, Lawrence A. Semenza, Anthony J. Toquato, Jr., David Scarnato, Alan Heyen, Shirley Helbing, and James P. Minella.
3. The motion is **GRANTED IN PART AND DENIED IN PART** as to Count IV (38 U.S.C. § 4301, *et seq.*) of Plaintiff's Amended Complaint.
 - a. The motion is **GRANTED** with respect to Defendants Lawrence A. Semenza, Anthony J. Toquato, Jr., David Scarnato, Alan Heyen, Shirley Helbing, and James P. Minella and judgement is entered **IN FAVOR OF** these Defendants.
 - b. The motion is **DENIED** with respect to Defendant Borough of Old Forge.
4. The motion is **GRANTED IN PART AND DENIED IN PART** as to Count V (51 P.S. § 7101, *et seq.*) of Plaintiff's Amended Complaint.
 - a. The motion is **GRANTED** with respect to Defendants Lawrence A. Semenza, Anthony J. Toquato, Jr., David Scarnato, Alan Heyen, Shirley Helbing, and James P. Minella and judgement is entered **IN FAVOR OF** these Defendants.
 - b. The motion is **DENIED** with respect to Defendant Borough of Old Forge.

5. The motion is **GRANTED** as to Count VI (43 P.S. § 955(a) - national origin/ancestry) of Plaintiff's Amended Complaint and judgment is entered **IN FAVOR OF** sole Defendant Borough of Old Forge
6. The motion is **GRANTED** as to Count VII (43 P.S. § 955(a) - religion) of Plaintiff's Amended Complaint and judgment is entered **IN FAVOR OF** sole Defendant Borough of Old Forge.
7. The motion is **GRANTED** as to Count VIII (43 P.S. § 955(d)) of Plaintiff's Amended Complaint and judgment is entered **IN FAVOR OF** sole Defendant Borough of Old Forge.
8. The motion is **GRANTED** as to Count IX (42 U.S.C. § 2000e, *et seq.*) of Plaintiff's Amended Complaint and judgment is entered **IN FAVOR OF** sole Defendant Borough of Old Forge.
9. The case will be scheduled for trial on Counts IV and V.
10. A telephone scheduling conference will be held on **Friday, January 9, 2015 at 11:15 a.m.** Counsel for the Plaintiff is responsible for arranging the call to (570) 207-5750, and all parties should be ready to proceed before the undersigned is contacted.

A handwritten signature in black ink, appearing to read 'Robert D. Mariani', is written over a horizontal line.

Robert D. Mariani
United States District Court Judge